

TAB

AREAS IN WHICH COVERAGE UNDER THE CIVIL SERVICE RETIREMENT ACT IS BROADER OR MORE LIBERAL THAN COVERAGE UNDER THE FOREIGN SERVICE RETIREMENT SYSTEM OR THE PROPOSED CIA RETIREMENT ACT

(Page number references are to a paper comparing the text of the Proposed CIA Retirement Act with pertinent provisions of the Foreign Service Act and the Civil Service Retirement Act.)

Subject	Civil Service Retirement Act	Proposed CIA Retirement Act and Foreign Service Act
<u>Definition of "child"</u> (page 6)	Child is defined to include an unmarried child between 18 and 21 who is a student (in addition to unmarried child under 18 or one incapable of self-support). (Sec. 1(j) as amended 1962)	Except for child incapable of self-support because of physical or mental disability, child must be under 18 and unmarried. (Sec. 204(b)(3) of proposed CIA Act; sec. 804(b)(3) of FSA)
<u>Disposition of contributions in excess of those for service establishing maximum annuity</u> (page 10(b))	Such contributions, with interest, are considered "voluntary contributions thereby providing basis for additional annuity. (Sec. 11(h)(1) - 1960 amendments)	No provision for any additional benefit for such excess contributions.
<u>Automatic cost-of-living increases in annuities</u> (page 10c)	Annuities are automatically increased when price index goes up 3%. (Sec. 18 - 1962 amendments) ALSO: Part III of the Act of October 11, 1962 provided for increases in 1962 through 1966 from 5% down to 1% for annuities in effect.)	No comparable provision.
<u>Amount of annuity to surviving wife or husband</u> (page 11)	55% of employee's annuity. (Sec. 10(a)(1) - 1962 amendments)	<p>Reviewed by CIA has determined that</p> <p><input checked="" type="checkbox"/> It contains nothing of CIA interest</p> <p><input type="checkbox"/> It contains information of CIA interest that must remain classified at TS S 8 Authority: HR 70-2</p> <p><input type="checkbox"/> It contains nothing of CIA interest</p> <p>Date 31-8-81 Reviewer DR 6199</p> <p>50% of employee's annuity. (Sec. 221(b) of proposed CIA Act; sec. 821(b) of FSA)</p>
<u>Reduction in employee's annuity to provide survivor benefit</u> (page 11)	2 1/2% of first \$3,600 of employee's annuity plus 10% of balance. (Sec. 9(g) - 1962 amendments)	2 1/2% of first \$2,400 of employee's annuity plus 10% of balance. (Sec. 221(b) of proposed CIA Act; sec. 821(b) of FSA)

Subject	Civil Service Retirement Act	Proposed CIA Retirement Act and Foreign Service Act
<u>"Automatic" election of survivor benefit</u> (page 11)	Employee must state specifically and in writing that he <u>does not</u> wish survivor benefit. Otherwise it is automatically provided. (Sec. 10(a)(1) - 1962 amendments)	Employee must specify that he <u>does</u> wish survivor benefit or it is not provided. (Sec. 221(b) of proposed CIA Act; sec. 821(b) of FSA)
<u>Survivor benefit to beneficiary of unmarried employee</u> (page 14)	55% of employee's annuity after reduction for providing survivor benefit. (Sec. 10(b) - 1962 amendments)	50% of employee's annuity after reduction for providing survivor benefit. (Sec. 221(f) of proposed CIA Act; sec. 821(f) of FSA)
<u>Disability retirement: application within one year after separation</u> (page 15)	Application for disability retirement may be filed one year after separation (or later in cases of mental incompetency). (Sec. 7(b))	No comparable authority. (Perhaps FSA is interpreted to permit later application; however, CSRA makes specific provision.)
<u>Continuation of annuity after recovery of disability annuitant</u> (page 17)	Annuity of disability retiree who recovers is continued until reemployment or for <u>one year</u> , whichever is less. (Sec. 7(d) - 1961 amendments)	Annuity of disability retiree who recovers is continued until reemployment or for <u>six months</u> , whichever is less. (Sec. 231(b) of proposed CIA Act; sec. 831(b) of FSA)
<u>Death in service: annuity to widow or dependent widower</u> (page 22)	55% of annuity computed on basis of employee's service and high-5 salary. (Sec. 10(c) - 1962 amendments)	50% of annuity computed on basis of employee's service and high-5 salary but with additional provision that, if employee had less than 20 years service, computation will be based on constructive years of service to retirement age. (Sec. 232(b) and (e) of proposed CIA Act; sec. 832(b) and (e) of FSA)
<u>Definition of "military" service</u> (pgs 37 and 44)	Military service includes Army, Navy, Air Force, Marine Corps, Coast Guard, Regular or Reserve Corps of Public Health Service, commissioned service in Coast and Geodetic Survey. (Sec. 1(r) - 1960 amendments)	Military service includes only Army, Navy, Air Force, Marine Corps, and Coast Guard. (Sec. 252(a) (2) of proposed CIA Act; sec. 852(a) (2) of FSA)

<u>Subject</u>	<u>Civil Service Retirement Act</u>	<u>Proposed CIA Retirement Act and Foreign Service Act</u>
<u>Purchase of prior service credit by survivor for annuity purposes</u> (page 39)	Survivor may purchase prior service credit of principal by making required deposits to fund. (Sec. 4(h) - 1958 amendments)	No comparable provision.
<u>Non-recovery of erroneous payments in certain cases</u> (page 49)	If person is without fault and recovery would be contrary to equity and good conscience, recovery of erroneous payments is not required. (Sec. 15(b))	No comparable provision.

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